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File Code: 1570
Date: November 9, 2015

Dear Objector(s):

CERTIFIED – RETURN RECEIPT REQUESTED

The Legal Notice of the objection period for the San Diego Gas & Electric Master Special Use Permit Project (MSUP) Final Environmental Impact Report/Environmental Impact Statement (FEIR/FEIS) and Draft Record of Decision (DROD) was published on July 10, 2015. Between July 10 and August 24, 2015, I received seven timely objections on the MSUP Draft decision. Thank you for your participation in a resolution meeting with the Cleveland National Forest and the Regional Office on October 12, 2015.

This letter is my written response to your objections. As required by 36 CFR 218.26(b), "The Reviewing Officer must issue a written response to objector(s) concerning their objection(s) within 45 days following the end of the objection-filing period. The Reviewing Officer has the discretion to extend the time for up to 30 days when he or she determines that additional time is necessary to provide adequate response to objections or to participate in resolution discussions with the objector(s)."

Project Summary

San Diego Gas & Electric Company's (SDG&E) proposed project includes issuance of a MSUP for the SDG&E system in the Cleveland National Forest (CNF), and would replace and/or fire harden select lines within the SDG&E system both on and off the CNF. The SDG&E is proposing to combine over 70 individual use permits and easements for SDG&E electric facilities within the CNF into one MSUP to be issued by the United States Forest Service (FS). In addition, SDG&E is proposing to replace certain electric power lines located within and outside the CNF. Replacement would primarily include fire hardening (wood-to-steel pole replacement), relocation, and undergrounding. The proposed power line replacement projects require authorization from the FS under the MSUP, as well as a Permit to Construct from the California Public Utilities Commission (CPUC).

The CNF MSUP study area is located within multiple locations within the Trabuco, Palomar, and Descanso Ranger Districts of the CNF, located in Orange and San Diego Counties, California. The proposed power line replacement projects are located within and outside the Palomar and Descanso Ranger Districts of the CNF in the vicinity of the unincorporated communities of Alpine, Boulevard, Pine Valley, Descanso, Campo, Pauma Valley, Santa Ysabel, Julian, and Warner Springs within the central portion of San Diego County. The SDG&E's proposed power line replacement projects not only traverse National Forest System (NFS) lands, but due to the patchwork of land ownership in the project study area, also traverse lands managed by the

Bureau of Land Management (BLM); tribal lands of the La Jolla, Campo, Inaja/Cosmit, and Viejas Indian Reservations managed by the respective tribes and held in trust by the Bureau of Indian Affairs (BIA); Cuyamaca Rancho State Park lands managed by California State Parks (CSP); lands under the jurisdiction of the City of San Diego; and private holdings within unincorporated San Diego County.

Project approval would allow for the continued operation and maintenance of SDG&E electric facilities within the CNF and authorize the replacement of certain existing power lines on and adjacent to CNF lands. The proposed project is needed because the existing authorizations within the CNF have expired, and the existing power lines are needed to supply power to local communities, residences, and government-owned facilities within and adjacent to the CNF.

The purpose of this project is to:

- Authorize the power lines and associated facilities needed to continue electric service to a variety of users within and adjacent to the CNF through an MSUP in a manner that is consistent with the CNF Land and Resource Management Plan (LRMP).
- To reduce fire risk associated with the existing facilities in a high fire hazard area through fire hardening of facilities in the CNF.

Objection Summary and Responses

Objection Point 1

"The Draft ROD's requirement to obtain a Clean Water Act (CWA) Section 401 certification before issuance of the Master Special Use Permit is inconsistent with the Forest Service's past practice and could unnecessarily delay implementation of the Proposed Project" (SDG&E, pp. 2-5).

Response

The CWA does not require 401 certification prior to approval of a special use permit, rather, it is required before activities that could result in any discharge into navigable waters of the United States (33 USC 1341 (a) (1), Clean Water Act Section 401, Water Quality Certification, US EPA, pp. 12 and 25, April, 2010; CWA Section 401 (4)). The FS does not have a specific policy on the timing of the receipt of state certifications under the CWA, though special use permits have standard terms and conditions requiring that "in exercising the rights and privileges granted by this permit, the holder shall comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements that apply to the permit area…" (Form 2700-4, Special Use Permit, Terms and Conditions I.F).

In practice, the timing of certifications has varied between projects; however, on NFS lands state CWA certifications have been in place prior to any activities that could create discharge into navigable waters of the United States (33 USC 1341 (a) (1)). In some cases certification has been completed in advance of SUPs, but this is not done consistently, rather, it is assessed on a project-by-project basis.

I find that the FS determination for the timing of required CWA Section 401 certification prior to the issuance of the MSUP to San Diego Gas and Electric is not addressed in the decision under applicable law, policy and regulation. State certification must be in place prior to activities that could cause discharge into the waters of the United States.

Instruction: The Responsible Official should clarify that state CWA certification is not necessary prior to permit issuance authorizing activities where a 401 certification is not required, but is necessary prior to permitting new activities which require a 401 certification.

Objection Point 2

"The Proposed Project does not involve, nor does SDG&E have the regulatory authority to require or authorize, the construction, operation, or maintenance of AT&T facilities…Thus, it is the responsibility of the Forest Service, through its regulatory authority over AT&T's facilities, to determine how AT&T's facilities are constructed, operated, and maintained. SDG&E's permitting process should not depend on the actions of another utility over which SDG&E has no authority…" (SDG&E, pp. 5-6).

Response

AT&T is currently leasing space for telecommunication lines on SDG&E-owned utility poles being proposed for upgrade and relocation per this decision, and both parties hold individual special use permits with the CNF (FEIR/FEIS, pg. F-7). Phone and fiber optic lines are frequently co-located on utility poles throughout California on both public and private lands. Rights-of-way in common (ROWC) are used in order to reduce impacts to NFS lands and utilize existing infrastructure when possible (FLPMA 43 USC 1761). The CNF LRMP requires consolidation of major utility corridors by co-locating facilities or expanding existing corridors (CNF LRMP Part, 2 pg. 68 Standard S5).

As the project proponent and existing pole lessor, it is reasonable to require SDG&E to provide notification to AT&T of implementation activities and timeframes, and to have them work in good faith to coordinate with AT&T and the CNF and to avoid interruptions to telecommunications services. The ultimate responsibility for permit enforcement and administrative actions must remain the jurisdiction of the FS.

Instruction: The Responsible Official should clarify SDG&E's responsibility in Mitigation Measure PSU-1 to reflect SDG&E's jurisdictional concerns (if the FS requires AT&T to co-locate with SDG&E, then SDG&E needs to work with AT&T.)

Objection Point 3

"Mitigation Measure REC-2 states that, if SDG&E or Forest Service staff observe "increased disturbance along the right-of-way resulting from unauthorized access due to unlocked gates," SDG&E must restore the disturbed areas or be required to cost-recover restoration activities associated with the unauthorized access and damage to resources…SDG&E is concerned that Mitigation Measure REC-2 requires SDG&E to be liable for all costs and repairs associated with unauthorized access during construction as well as operation and maintenance of the lines. In addition, SDG&E is concerned that Mitigation Measure REC-2 does not specify which roads are

included, nor does it specify how a determination of SDG&E's liability for such activities will be established" (SDG&E, pp. 6-7).

Response

Special use permits include terms, conditions, and clauses which require proponents and permittees to protect the integrity of NFS lands. Specifically, clause IV, F. of permit form 2700-4 states: "The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States." SDG&E is not only encumbering NFS lands, but providing access points that would not normally be accessible to the general public if power line access were not present on the landscape.

Power line authorizations typically include both temporary and long-term vehicular access for construction and ongoing maintenance activities. Authorizations also require due diligence on the part of permittees to not only maintain improvements and the permitted area to standard, but to protect NFS lands from undue degradation. The proposed project would authorize approximately 45 miles and decommission approximately 11.2 miles of access roads (DROD, pp. 21-22). Many of these roads and facilities will be located near specially designated or restricted areas potentially increasing the likelihood of unauthorized access and resource damage.

The FEIR/FEIS and DROD identify the need to protect NFS lands by securing access points and monitoring the on-ground situation both during and after construction. The FEIR/FEIS discusses the need to protect specially designated or restricted areas (i.e. Wilderness) from unauthorized OHV activity, although MM Rec-2 is inclusive to all roads and gates for the project area.

Instruction: The Final ROD should more clearly define the gate protocol requirements that will apply during construction, operation and maintenance to SDG&E for the life of the MSUP, and should specify which roads are subject to those requirements. The specific consequences of SDG&E not following these protocols should be addressed via clause IV.F of the special use permit; therefore, I instruct the Responsible Official to remove them from Mitigation Measure REC-2.

Objection Point 4

"Current CPUC rule 95 allows SDG&E 'discretion' to 'clear' the distance equal to the span between poles to mineral earth. The rationale is this: in a disconnect, or break at the pole, the ignition hot wire can 'radius out' the span width. Thus, a 200 ft. span is giving authority to cut a 400 ft. treeless, bare swath through our National Wildlife Preserve of "American Tree" – the oak tree… Solution: Bury the line/lines in the adjacent Hwy. 76 ROW" (Fisher, pp. 1-2).

Response

Within the CNF, the existing SDG&E Rights-of-Way (ROW) for overhead 69 kV power lines are 30 feet wide, and existing ROWs for overhead distribution lines are 20 feet wide (FEIR/FEIS pg. B-35). CPUC General Order 95, Rule 35 and California Public Resources Code (CPRC) Section 4293 include safety and maintenance standards for overhead electric lines, including electric line inspection requirements, and vegetation clearance requirements.
The vegetation clearance requirements of General Order 95, Rule 35 and CPRC Section 4293 measure less in distance than the width of existing ROWs on the CNF. It is anticipated that

clearing of hazardous vegetation that pose a risk to the powerline will take place within these existing ROWs. The priority is to remove dead, diseased and dying limbs and foliage from sound trees, and dead, diseased or dying trees in their entirety. Live trees within the ROW that do not pose a risk will be left in place. SDG&E's standard operating protocol is to have a certified arborist on site to direct any trimming of native trees with the intention of limiting trimming to no more than 30% of the canopy of any individual tree. Prior to any trimming taking place, the SDG&E environmental team will work with project contractors to avoid any impacts to native trees. If impacts cannot be avoided, the certified arborist is called to determine the most appropriate way to trim the tree that will result in the least impact to the tree (FEIR/FEIS, pp. D.4-102,103).

Additionally, from ground level to approximately eight feet above ground level, SDG&E removes flammable trash, debris, or other materials, grass, herbaceous and brush vegetation, and limbs and foliage of living trees to a distance of 10 horizontal feet from the outer circumference of the pole. For all steel poles, SDG&E clears to bare ground an approximately five-foot-radius around the poles that have exposed, external ground wires, and trims all encroaching trees or other vegetation within approximately 10 feet of the pole (FEIR/FEIS, pp. B-61, 62).

There are several components of the Federal Preferred alternative that are outside the jurisdiction of the FS, including the replacement of TL 682 occurring on BIA and private lands, and that are subject to review and approval by the other state and federal agencies. The CPUC has overall jurisdiction on all aspects of the project, and the BIA has independent jurisdiction and approval authority over the proposed relocation of TL 682 on the La Jolla Reservation lands and will be making independent decisions about the project (Draft ROD pp. 1, 5). Please see response to Objection Point 17 for further discussion of undergrounding this segment.

I find that the Federal Preferred Alternative, which is also the NEPA environmentally preferable alternative, best meets the FS purpose and need by continuing electric service to a variety of users within and adjacent to the CNF in a manner that meets the intent of regulatory authority of CPUC General Order 95, Rule 35 and CPRC Section 4293, while minimizing impact to NFS vegetation in ROWs.

Objection Point 5

"Recognize Scenic Highway designation on all roads listed in State Legislation that are on, or lead to Palomar Mtn., such as: (a) Hwy. 76 from I-15 east to its terminus with Hwy. 79; (b) S-6 from the City of Escondido to Palomar Observatory; (c) S-7, the entire East Grade Road; (d) Hwy 79 from I-15 to its intersection with Hwy 76 at Lake Henshaw. Solution: Bury all utility lines" (Fisher, pg. 2).

Response

Actions to determine scenic highway designation are taken by local jurisdictions and finalized by Caltrans, not the FS. Within the project area there are no designated state scenic highways. Of the highways listed in the Objection (SR-76; SR-79; S-6 and S-7), SR-76 is the only one eligible for scenic status (FEIR/FEIS, pp. 2-64). The FS is not aware of any actions taken by any local jurisdiction to seek a scenic designation for SR-76, nor by Caltrans to assess SR-76 for scenic designation (FEIR/FEIS, pp. F6.7 to F6.9). As of September 23, 2015, there are no data or

information on the Caltrans website (www.dot.ca/gov) indicating that the department has made any determination that SR-76 meets the standards for official state scenic designation; therefore, the FEIR/FEIS does not consider SR-76 to be an official state scenic highway (FEIR/FEIS, pp. F6.7 to.F6.9).

I find that scenic highway designation is a state responsibility and there is no evidence that roads identified by the Objector have been designated as scenic highways.

Objection Point 6

"A fourfold increase in power transmission increases the technical/industrial dangers to the forest and we believe, therefore, that alternatives must be developed to avoid these dangers and better serve the mission of the forest service" (Cleveland National Forest Foundation (CNFF), pg. 2).

"Located within the central area of the Peninsular Range Ecosystem, the importance of habitat value of the Cleveland National Forest is illustrated in this recent settlement agreement with the Center for Biological Diversity to establish new Wilderness areas in the forest. "The Forest now has new areas managed as wilderness, which is the highest level of protection that the Forest Service can provide and especially important in this highly developed Region," said Cleveland Forest Supervisor Will Metz. These brief descriptions about the value of the forest illustrate that in the age of climate change and historic drought the overarching purpose of any infrastructure project within the Cleveland Forest is to serve the needs and purpose of the forest and not vice versa. Nowhere do we find in the ROD how this statement about the critical nature of wilderness preservation aligns with the rational for increasing and improving electrical service in the forest" (CNFF, pg. 2).

Response

The National Forest Management Act (NFMA) requires projects and permits to be consistent with the LRMP (16 USC § 1604(i)) (DROD, pg. 12). 40 CFR 1501.2 (c) requires agencies to "Study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources as provided by section 102(2)(E) of the Act."

The Notice of Intent identified the purpose and need for the project which is "…to authorize the powerlines and associated facilities needed to continue electric service to a variety of users within and adjacent to the CNF through a MSUP in a manner that is consistent with the CNF Land Management Plan (LMP)" (FR Vol 78 No. 184, pg. 58271). "Further, the purpose of this action is to reduce fire risk associated with the existing facilities in a high fire hazard area through fire hardening of facilities in the CNF. This action is needed for resource protection as well as public safety" (FEIR/FEIS, pp. A-8 to A-9).

The FEIR/FEIS describes the LRMP goals and objectives relating to planning and land use applicable to this project, including those relating to Wilderness, recommended Wilderness and Inventoried Roadless Areas and includes relevant planning-related design criteria of the LRMP (Standards and Guidelines) (D.10-29 to D.10-3). This section of the FEIR/FEIS (pg. D.10-29) describes the LMP Goal 7.1—Retain natural areas as a core for a regional network while focusing the built environment into the minimum land area needed to support growing public

needs (LMP, Part 1, pp. 47-48)—describes the vision for facilities supporting urban infrastructure. This project, including alternatives considered, would not directly induce growth in any predictable or defined location as a result of additional capacity to move energy. The SDG&E's proposed project would continue to deliver reliable electric power similar to that which SDG&E currently provides (FEIR/FEIS, G-3). Additionally, the DROD states that the authorized operating voltage for transmission lines and distribution lines are 69 kV and 12 kV, respectively (pg. 2), but does allow PG&E to add an additional 69 kV circuit in two locations creating a double circuit (DROD, pg. 3). The amount of authorized voltage being conducted will not increase despite the increased capacity under this decision.

With regard to the fire risk, the FEIR/FEIS (D.8-44 to D.8-56) discusses the effects associated with the Federal Preferred Alternative. This analysis determines that while there would still be some risk remaining, the probability that infrastructure would ignite a wildfire would decrease with implementation of SDG&E's proposed project (FEIR/FEIS, pp D.8-45 to D.8-56).

The Federally Preferred Alternative includes mitigations to reduce the impacts to Recommended Wilderness and comply with current Forest Plan direction (DROD, pg. 10). The DROD (pp. 12-14) outlines how this project complies with the Forest Plan and identifies three areas that require site specific amendments to the Forest Plan. The FEIR/FEIS (D10.37 to D10.39) discusses the 2014 LMP amendments and its effect on the project. No new Wilderness areas were designated in 2014; however, there were areas designated as Recommended Wilderness that would potentially be affected by this project. The FEIR/FEIS (pp. D.10.61 to D.10.62) describes how the Federally Preferred Alternative would mitigate effects to Inventoried Roadless Areas and Recommended Wilderness Areas. The DROD concludes that "[a]lthough my decision to adopt the Federal Preferred Alternative does not avoid all conflicts with the LRMP, it does avoid conflicts with designated Wilderness by relocating C157 into the corridor between the Pine Creek and Hauser Wilderness and avoids an area of Recommended Wilderness in Cedar Creek by removing TL626 from service" (DROD, pg. 7).

I find that the purpose and need described in proposed decision in the DROD are clearly stated and are consistent with the Forest Plan. The FEIR/FEIS and DROD have considered a reasonable range of alternatives and adequately address issues and discuss and disclose effects related to the increase in powerline transmission potential.

Objection Point 7

"In Southern California it is apparent that the greatest danger to our local forest is urban development and not the threat of fire. The unique system of meadowlands that characterize the biological heart of our forest also happen to be privately owned and threatened by development." (CNFF, pp. 2-3).

"We are told that the Project supplements the transmission of the region's existing energy supply with a "fourfold increase in the conductor's ability to move energy" (DEIR at G-3). The problem is this fourfold increase clearly has the potential to serve new growth in and around the forest…. In this case, SDG&E's the pole replacement and power upgrade project actually extends to places far afield from the forest such as the Rincon Substation which is located on Valley Center Road serving an area completely outside of forest lands" (CNFF, pp. 4-5).

Response

The Council on Environmental Quality (CEQ) regulations (40 CFR 1500-1508) requires agencies to analyze and disclose impacts including indirect effects, "…which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems" (40 CFR 1508.8(b)).

The FEIR/FEIS explains that "[t]he proposed project would replace existing conductors on five 69 kV lines, which were originally installed decades ago with the smallest SDG&E standard conductors currently used for new and reconstructed facilities of the 69 kV system. These new conductors are stronger, more resistant to heat, and heavier than existing conductors are. This allows the new conductors to fulfill the primary purpose of the power line replacement projects to increase fire safety and service reliability and provide additional fire hardening, as discussed in Section D.8, Fire and Fuels Management, of this EIR/EIS" (FEIR/FEIS, pg. G-3). As discussed in Sections A.4 and A.5 of the FEIR/FEIS (pp. A-8 to A-10), the purpose of SDG&E's proposed project is to reduce fire risk and improve the reliability of power delivery to surrounding communities in and around the CNF.

The analysis acknowledges that certain aspects of fire hardening, particularly the use of the stronger conductors, will increase the capacity of the transmission lines to carry power (measured by amperage). Although the fire hardening would increase capacity to move electricity, thereby removing a possible obstacle to growth of new local renewable generation projects, none of the modifications proposed as part of the Federal Preferred Alternative would allow interconnections of a new local renewable generation project (DROD, pg. 7). This indirect effect and issue brought forward by the public was addressed throughout the analysis process (FEIR/FEIS, pp. G1-4, D5-9 and D5-11; DROD pg. 7).

With regard to the growth-inducing effect of the proposed project, the FEIR/FEIS discloses that, "[t]hese new conductors will also result in a fourfold increase in the conductor's ability to move energy as compared to the existing conductors" (FEIR/FEIS, pg. G-3); however, this analysis determined that "[t]his project, including alternatives considered, would not directly induce growth in any predictable or defined location as a result of additional capacity to move energy. The SDG&E's proposed project, if approved, would continue to deliver reliable electric power similar to what SDG&E currently provides" (FEIR/FEIS pg. G-4). The FEIR/FEIS concludes: "The increased capacity provided by SDG&E's proposed project power line replacement would remove an obstacle to growth of new local renewable generation projects, and would, therefore, be considered growth-inducing under CEQA. It would be speculative, however, to draw any conclusion regarding specific growth that might occur since the proposed project, including alternatives considered, would not in and of themselves allow interconnections of new renewable generation projects" (FEIR/FEIS pg. G-4).

I find that the analysis of indirect effects of the proposed project is consistent with requirements under 40 CFR 1502. The analysis adequately discloses the indirect effects and provides succinct and sufficient conclusions.

Objection Point 8

"Instead of mentioning the threat of urban growth within the forest, the ROD stresses the danger that fire poses to the forest… If forest officials were truly concerned about the danger of fire to forest habitat they would give serious consideration to prohibiting hunting since two of the greatest fires in California history, along with many others, were started by hunters- the Cedar fire and the Rim fire…. Despite this inconvenient truth regarding the real causes of fire, both SDG&E and Forest Supervisor Metz claim reduction of fire risk as the main purpose of the project. There is little evidence to support this conclusion" (CNFF, pg. 3).

Response

The purpose and need of the SDG&E MSUP and Permit to Construct Power Line Replacement Projects is to authorize the power lines and associated facilities needed to continue electric service to a variety of users within and adjacent to the CNF through an MSUP in a manner that is consistent with the LRMP. This action is needed because the 70 individual permits or easements for the existing facilities have expired, and a permit is required for the continued occupancy and use of NFS lands. Specific goals are to reduce fire risk associated with the existing facilities in a high-fire hazard area through fire hardening of facilities in the CNF. This action is needed for resource protection as well as public safety (DROD, pg. 8; FEIR/FEIS, pp. A-8, A-9).

Hunting, fishing, and trapping of fish and wildlife and associated practices on NFS lands are subject to state fish and wildlife laws and regulations (FSM 2643.1). It is FS policy to provide a variety of fishing, hunting, trapping, viewing, studying, and photographing opportunities and experiences in cooperation with the state fish and wildlife agencies (FSM 2643.3.2). Prohibiting hunting access on the CNF as a means of reducing fire risk is outside of the purpose and need of this decision, which focuses on authorizing power lines and associated facilities and reducing fire risk associated with those facilities (DROD, pg. 8; FEIR/FEIS, pp. A-8, A-9).

I find that the FEIR/FEIS discusses the existing fire setting and fire history, including the causes of major wildfires and powerline related wildfires (FEIR/FEIS, pp. D.8-2 to12). The Federal Preferred Alternative, which is also the NEPA environmentally preferable alternative, best meets the purpose and need by continuing electric service to a variety of users within and adjacent to the CNF.

Objection Point 9

"On top of the highly questionable idea that a power line upgrade will protect the forest from fire, the power transmission project itself entails the intrusion of a massive armada of equipment and personnel into the forest and wilderness areas which are so highly prized by forest officials. A dramatic illustration of this intrusion is documented in the pole replacement activity in the Sweetwater River meadow along Riverside Drive in Descanso, a forest inholding. Into this meadow came a massive construction operation involving drilling, generators, jackhammers, heavy equipment, cranes and trucks coming and going simply to "fire harden" the power lines running through Descanso. This invasion lasted over one month" (CNFF, pg. 4).

Response

Region 5 Supplement to FSM 2700 (R5 No. 2700-2011-1) contains direction for power lines on national forests in the Pacific Southwest Region in order to eliminate or mitigate long-term

conflicts between power lines and the management of NFS lands, resources and environmental values (FEIR/FEIS, pp. 10-40; DROD, pg. 17). The effects of equipment use were addressed by resource area, and mitigation measures were adopted to reduce project effects to 13 areas of affected environments, such as aesthetics, air quality, biological resources, cultural resources, fire hazards, hydrology, noise, and transportation (FEIR/FEIS, pp. B-37 to 59, Section B.5, B-65). For example, the measures and mitigations described in the DROD Mitigation Appendix require SDG&E to implement plans to reduce or avoid impacts associated with construction activities, such as noise (APM NOI-01 through APM NOI-10, DROD, pp. 41-42; Table B.13 FEIR/FEIS, pp. B-66 to 72).

Consistency with the CNF LRMP is addressed in the FEIR/FEIS, Section D.10. The Federal Preferred Alternative avoids conflicts with designated Wilderness by relocating C157 into the corridor between the Pine Creek and Hauser Wilderness and avoids an area of Recommended Wilderness in Cedar Creek by removing TL626 from service (DROD, pg.7; FEIR/FEIS, pp. E-105,106; Figure E-1, FEIR/FEIS, pg. E-109).

I find that the FEIR/FEIS discloses the impacts to land use including Wilderness areas, describes how the environmental impacts were evaluated, describes all aspects of project construction that were used to evaluate the project impacts and describes how Wilderness and recommended Wilderness areas were avoided consistent with the requirements of NEPA. The Federal Preferred Alternative best meets the FS purpose and need by continuing electric service to a variety of users within and adjacent to the CNF.

Objection Point 10

"SDG&E has not shown that less impactful alternatives such as the microgrid or distributed generation systems are not feasible which is especially perplexing considering the fact that a microgrid solution would cost half as much as the proposed project. Nor has it shown that the 'increased vegetation management alternative' is infeasible" (FEIR, p. C-20)" (CNFF, pg. 5).

Response

The CEQ requires agencies to "Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated" (40 CFR 1502.14 (a)).

In addition to the alternatives considered in detail, fifteen other alternatives were considered but eliminated from detailed study (DROD, pg. 11). Three of the alternatives eliminated from detailed study evaluated the feasibility of a microgrid system (FEIR/FEIS, pp. C-18 to C-19), distributed generation system (FEIR/FEIS, pg. C-20), and an "increased vegetation management alternative" (FEIR/FEIS, pg. C-20). "These potential alternatives were evaluated for their ability to reduce significant environmental impacts, their feasibility and reasonableness, and their ability to attain most of the project objectives for the proposed project" (FEIR/FEIS, pg. D5-13).

The microgrid system was considered under the System Alternative 3: No Wire Alternative (FEIR/FEIS, pp. C-18 to C-19; pp. D5-12 to D5-13). Typically, microgrids are designed to function in cooperation with the main area utility grid because generation consists of "distributed and intermittent resources (such as wind and solar), storage batteries, and diesel-powered

generation" (FEIR/FEIS, pg. C-19). The main utility grid ensures stability of the microgrid by "importing or exporting any imbalance between internal generation and load" (FEIR/FEIS, pg. C-19). While microgrids may operate as completely self-dependent islands, if disconnected from the main grid, they are "limited in the amount of energy and peak load they can provide" (FEIR/FEIS, pg. C-19). These limitations are generally mitigated through interconnection and reliance on the main utility grid (FEIR/FEIS, pg. C-19). The existing power lines and distribution circuits "have been in operation for decades and are needed to ensure continued electric service and reliability to local communities, residences, and government facilities within and adjacent to the CNF. The existing system is considered the backbone to the SDG&E electrical grid system in central and eastern San Diego County" (FEIR/FEIS, pg. C19). Given the limitations of self-dependent microgrids, converting the project area to such a system would "degrade the electric service reliability to local communities, residences, and government facilities within and adjacent to the CNF" (FEIR/FEIS, pg. C-19). Furthermore, "microgrids are an emerging technology and are not a proven large-scale technology at this time" (FEIR/FEIS, pg. D5-13); therefore, "the use of this technology on a system backbone-scale is not a feasible alternative" (FEIR/FEIS, pp. D5-13, D6-40). Similarly, the distributed generation alternative (i.e., System Alternative 5: Distributed Generation) as a single option to meet energy demand "would not meet project objectives or purpose and need screening criteria as it would not provide the reliability needs to existing customers" (FEIR/FEIS, pp. C-20 and D5-13 to D5-14).

The Federal Preferred Alternative includes development of an off-grid solution for an existing customer near the Boulder Creek Substation (FEIR/FEIS, pp. C-7 to C-8). This off-grid system will have the same limitations as those described under the No Wire Alternative (FEIR/FEIS, pg. C-19); however, it will serve a limited customer base as opposed to converting the entire project area, the backbone of the SDG&E electrical grid system in central and eastern San Diego County, to an off-grid system.

The FEIR/FEIS also outlines the rational for elimination of the "increased vegetation management alternative" (i.e., System Alternative 4: Management and System Maintenance Oversight) from detailed study (FEIR/FEIS, pg. C-20). Under this alternative the scope of the MSUP would not be expanded to replace the wooden poles with steel poles that have superior strength and fire resistance. Nor would this alternative implement the proposed undergrounding, relocation, consolidation, or avoidance of certain sensitive resources (FEIR/FEIS, pp. C-20, D6-40). This alternative also ignores other sources of wildfire ignition that might result from the presence of transmission lines even with increased vegetation management and equipment inspections (e.g., line failure, arcing, or through conductor-to-conductor contact) (FEIR/FEIS, pp. C-20 and D.8-6 to D.8-8; pp. D6-40 to D6-41).

I find that the analyses of alternatives such as the microgrid or distributed generation systems as well as the "increased vegetation management alternative" are consistent with 40 CFR 1502.14 (a). These analyses provide succinct and sufficient explanations of why these alternatives are not feasible and should be eliminated from detailed study.

Objection Point 11

"One of the [Service's] primary project purposes" for the MSUP Project is "to reduce the risk of power line related wildfires." DROD, p. 6 (quote); FEIR/FEIS, p. A-9 (same). According to the

Service, the "action is needed for resource protection as well as public safety." *Id*. But the evidence, including the FEIR/FEIS itself, demonstrates that the proposed wood-to-steel pole replacements may actual *increase* fire risk, and therefore that the wood-to-steel pole conversion *would not meet the primary Project purpose* – to protect environmental resources and public safety. FEIR/FEIS, p. D.7-22 ("the proposed steel poles would be subject to increased risk of lightning strikes due to their composition and increased height"); *id*., p. D.8-46 (same)."

"Furthermore, the FEIR/FEIS fails to substantiate with evidence its conclusory claims that the "proposed new steel poles… would remain standing during wildfire conditions due to construction with fire-resistant material," and that they "will reduce the potential of failure due to a lightning strike." FEIR/FEIS, p. D.8-45" (Backcountry Against Dumps/Tisdale, pp.2-4).

Response

The purpose and need of the SDG&E MSUP and Permit to Construct Power Line Replacement Projects is to authorize the power lines and associated facilities needed to continue electric service to a variety of users within and adjacent to the CNF while reducing the fire risk associated with the existing facilities in a high fire hazard area through fire hardening or undergrounding facilities. This action is needed for resource protection as well as public safety (DROD, pg. 8; FEIR/FEIS, pp. A-8, A-9).

The FS proposed action contains a decision rationale that compares existing conditions with anticipated conditions after fire hardening improvements, project design elements and mitigations are in place by alternative in order for the Responsible Official to make an informed decision (FEIR/FEIS, Section D.8.4; DROD, pp. 6-8). Project design elements include the use of stronger steel towers and stronger wind resistant conductors, and relocating certain sections of the distribution system to underground ducts. The measures and mitigations described in Section D.8, "Fire and Fuels Management", of the FEIR/FEIS and the Mitigation Appendix in the DROD require SDG&E to implement a fire prevention and protection plan for both construction and operation and maintenance (MM FF-1 and FF-2, DROD, pp. 24-25) which will further reduce the risk of wildfire related to those activities.

Existing wood poles are susceptible to failure or pole fires resulting from lighting strikes, whereas the proposed steel poles will reduce the potential of failure due to a lighting strike. While the likelihood of pole failure resulting from a lightning strike is reduced with steel poles, steel poles increase the risk of lightning strikes, due to their composition and increased height; however, SDG&E will be required to design electric overhead lines in accordance with safety requirements of the CPUC's General Order 95 and implement proper grounding procedures and installation of proper grounding devices to minimize this risk and increase system reliability. Based on the conservative nature of the specification in CPUC's General Order 95 and General Order 128, operation and maintenance of the proposed power line replacement projects and associated hardware and facilities would not pose a significant safety hazard due to structural failure due to high winds and or lightning (FEIR/FEIS, pp. D.7-22, 23 and D.8-45). Replacement of existing fire-susceptible wooden poles with 2,104 fire-resistant steel poles will result in a fire-hardened alignment that would protect proposed project facilities in the event of a wildland fire. Wooden poles supporting power lines are susceptible to damage and deterioration from fire, woodpeckers, termites, and weather, including wind and/or lightning. The existing

wood poles are also natural products with inherent variability in the material strength properties. The proposed new steel poles are not susceptible the same level of deterioration and would remain standing during wildfire conditions due to construction with fire-resistant material. The new steel poles are also engineered with minimal variability in design and strength, resulting in improved system reliability and safety (FEIR/FEIS pg. D.8-44).

Additionally, the replacement of existing aluminum or copper conductors with aluminum-clad, steel-supported conductors will increase the safety of the lines. The larger, stronger conductors will be significantly more resistant to potential damage from extreme wind conditions, lightning strikes, and tree-line contact in comparison with the existing conductors. The proposed conductors will also reduce the potential for line breakages or other failures that could result during hazardous weather conditions (FEIR/FEIS, pg. D.8-46).

SDG&E's proposed project would reduce, but not eliminate, the risk of power line-related wildfires in part by adopting the mitigation measures summarized in Section D.8.9, Mitigation Monitoring, Compliance, and Reporting and in Table D.8.2, Mitigation Monitoring, Compliance, and Reporting – Fire and Fuels Management, along with APM HAZ-01 through APM HAZ-06 provided in Section D.8.3.2 and in the DROD Mitigation Appendix (FEIR/FEIS, pg. D.8-64; DROD, pg. 40).

I find that the Federal Preferred Alternative, which is also the NEPA environmentally preferable alternative, best meets the FS purpose and need by continuing electric service while reducing the fire risk associated with the existing facilities.

Objection Point 12

"Here, Mrs. Tisdale, Backcountry and others have consistently urged throughout the Project's environmental review process that the Service full analyze an undergrounding alternative to the approved wood-to-steel pole conversions portion of the Project… However, despite its admitted environmental benefits over the proposed and approved projects, despite the fact that "Forest Service policy and plan direction *favor* undergrounding new and existing electric lines under 12 Kv," and despite the fact that it "would likely meet the reliability needs for existing energy users, and therefore screening criteria for project objectives and purposes and need," the FEIR/FEIS cursorily dismisses the full undergrounding alternative because "it would not substantially avoid or reduce environmental effects" when all the impacts are considered together. FEIR/FEIS, pp. C-14 (first and third quotes; emphasis added), C-13 (second quote). The FEIR/FEIS' perfunctory consideration and summary rejection of this far less impactful alternative violates NEPA" (Backcountry Against Dumps/Tisdale, pp. 4-5).

"I object that more if not all of this power line project remaining, is not scheduled to be reconfigured underground. I'm responding as one of my objections, to the published US Forest Service information in their record of decision that they are supposed to be leveraging the undergrounding of any power line 35kV or less *especially when they are upgraded*. Because all of these require an entire rebuild of the infrastructure the 12 kV lines in this project are applicable to this policy… Furthermore, because a 12kv line is routinely undergrounded under roads why would these not go under roads already present, instead of cross country through rugged terrain unnecessarily, thereby further eliminating the issues with rugged and prohibitive

inclination grades to standards that are not too rugged? They would then be accessible to SDG&E maintenance, easy to find, easy to monitor, remove considerable existing footprint from access roads, and ongoing erosion issues from continued bull dozing, reducing considerably the impact to the outlying forest and will never be a fire or environmental issue again. The 12 kV lines are closer to the ground and even more problematic for fire hazard" (Buxton, pp. 2-3; Sierra Club San Diego, pg. 1).

Response

The CEQ requires agencies to "Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated" (40 CFR 1502.14 (a)).

The Region 5 supplement to the Forest Service Manual (FSM) requires power lines of 35kV or less to be undergrounded when new installations take place or when existing lines are significantly upgraded, except where aerial lines will be less impactful, with the following direction: "Place all new powerline installations underground…require undergrounding of existing aerial powerline installations, especially when the holder proposes those lines for upgrading, replacement, or reconstruction, except where the environmental analysis clearly indicates that aerial construction provides better protection for National Forest resource and environmental values" (R5 Supplement to FSM 2726.31).

Alternative C.5.7 included burying all overhead lines, some of which would be buried in existing road beds (FEIR/FEIS, pp. C-13 to 14). A detailed review of alternatives captured the limitations of each segment that could potentially be buried and what the limitations of this action would be (FEIR/FEIS, pp. B-23 to B-35). This alternative was eliminated from detailed study due to the presence of steep slopes and rugged terrain in the project area and associated construction challenges, combined with the greater temporary and permanent ground disturbance that would be caused by trenching (FEIR/FEIS, pp. C-13 to 14). Topographic limitations including slopes of greater than 12% and insufficient turning radiuses at certain points in the road bed prevent the effective installation of buried lines at these locations (FEIR/FEIS, pp. C-13 to 14). Boulder Creek Road has 12 turning points with insufficient radius and 25 locations that exceed a 12% slope. This segment also crosses 10 hydrologic features where open trenching would not be feasible and boring would be required (FEIS/FEIR, pp. B-27 to 28). Some roads considered for undergrounding are adjacent to riparian areas and have stream crossings, which would require boring under these aquatic features. Additional lay down areas would be required for boring and would cause additional ground disturbance. This alternative would not protect natural resources as well as overhead power lines at these locations (FEIR/FEIS, pg. C-14).

The estimated total permanent footprint to replace all poles as proposed is approximately 0.3 acres compared to a total of four acres required to underground approximately 13 miles of 12 kV electric lines. Undergrounding all existing electric lines would result in a significant increase in permanent disturbance to sensitive resources compared to that caused by the proposed wood-to-steel pole replacement.

I find that the analysis is consistent with the R5 Supplement to FSM 2726.31 and appropriately considers the benefits of undergrounding options as well as the impacts on a range of resource

and environmental values. These analyses provide succinct and sufficient explanations of why these alternatives are not feasible and should be eliminated from detailed study in accordance with NEPA.

Objection Point 13

"The FEIR/FEIS and DROD both admit that the conversion of "5.7 miles of existing 69 kV line… from single-circuit to double-circuit," and the addition of "new conductors will... result in a fourfold increase" in transmission capacity. FEIR/FEIS, pp. G-2, G-3; DROD, p. 7. This substantial increase in capacity will induce growth, increase fire ignition risks, degrade visual resources, and impact public health and safety... Without adequate analysis of these long-term and potentially severe effects of the Project's four-fold increase in electrical capacity, this Project's impacts are understated, in violation of NEPA."

"The FEIR/FEIS' failure to address and analyze the impacts of this increased capacity – whether or not specific future projects are presently known – violates NEPA… This increased transmission capacity will also have other impacts that are not adequately considered under NEPA. Increased capacity will create greater fire ignition risks due to higher currents, as well as increased electromagnetic fields which can significantly impact human health and other biological resources. FEIR/FEIS, pp. D4-16, D.8-36 to D.8-39; Exhibit 2, pp.1-3; FEIR/FEIS, p. F14-1. Additionally, the increased transmission capacity and pole alignment proposed will not only allow for growth in energy transmission and population, but will also allow SDG&E to expand the capacity of the poles themselves by constructing additional arms to support new lines, in turn significantly impacting the visual resources in the area. Ignoring these foreseeable impacts violates NEPA" (Backcountry Against Dumps/Tisdale, pp. 5-7).

Response

The CEQ regulations (40 CFR 1500-1508) require agencies to analyze and disclose impacts. 40 CFR 1508.8 specifically states "Effects and impacts as used in these regulations are synonymous. Effects includes ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative. Effects may also include those resulting from actions which may have both beneficial and detrimental effects, even if on balance the agency believes that the effect will be beneficial."

Growth Inducing Effects

The FEIR/FEIS explains that "[t]he proposed project would replace existing conductors on five 69 kV lines, which were originally installed decades ago with the smallest SDG&E standard conductors currently used for new and reconstructed facilities of the 69 kV system. These new conductors are stronger, more resistant to heat, and heavier than existing conductors are. This allows the new conductors to fulfill the primary purpose of the power line replacement projects to increase fire safety and service reliability and provide additional fire hardening" (FEIR/FEIS, pg. G-3). The FEIS/FEIS states "The project would result in an increase in the size of the existing conductors, which could accommodate for an increase in power conducted along the lines; however, no increase in power is planned for and no substations within the project area would be modified as part of SDG&E's proposed project to accommodate for any increases in power along the new lines" (FEIR/FEIS, pp. D.15-8 to 15-9).

The DROD states "While implementation of any of the alternatives is not expected to increase growth related to employment, the analysis acknowledges that certain aspects of fire hardening, particularly the use of the stronger conductors, will increase the capacity of the transmission lines to carry power (measured by amperage). Although the fire hardening would increase capacity to move electricity, thereby removing a possible obstacle to growth of new local renewable generation projects, none of the modifications proposed as part of the Federal Preferred Alternative would allow interconnections of a new local renewable generation project" (DROD pg. 7). See response to objection point # 7 for additional response to concern for growth-inducing effects.

Health

Section D.15 of the FEIR/FEIS (pp. D.15-1 to D.15-10) includes a thorough discussion of electromagnetic fields (EMFs) and their effects related to health and safety. The analysis discloses that health impacts from power lines are unknown at this time and both state and federal agencies have determined that there is scientific uncertainty surrounding the effects. The California Public Utilities Commission (CPUC) stated that "at this time we are unable to determine whether there is a significant scientifically verifiable relationship between EMF exposure and negative health consequences (CPUC 2006a)" (FEIR/FEIS, pg. D.15-8).

The FEIR/FEIS discloses that "In addition to the uncertainty regarding the level of health risk posed by EMFs, individual studies and scientific panels have not been able to determine or reach consensus regarding what level of magnetic field exposure might constitute a health risk" (FEIR/FEIS, pp. D.15-6 to D.15-7). The FEIR/FEIS states "Although the U.S. Environmental Protection Agency (EPA) has conducted investigations into EMFs related to power lines and health risks, no national standards have been established." The FEIR/FEIS also states "The 1999 National Institute of Environmental Health Sciences report to Congress suggested that the evidence supporting EMF exposure as a health hazard was insufficient to warrant aggressive regulatory actions" (FEIR/FEIS, pg. D.15-7). The summary regarding EMF states, "After several decades of study regarding potential public health risks from exposure to power line EMF, research results remain inconclusive. Several national and international panels have conducted reviews of data from multiple studies and state that there is not sufficient evidence to conclude that EMF causes cancer or other adverse health effects. The information included in the preceding sections identifies existing EMF exposures within the community and provide specific information on the EMF levels estimated for SDG&E's proposed project" (FEIR/FEIS, pg. D.15-10).

Visuals

Visual simulations were made based on the proposed project and comments received during public review of the Draft EIR/EIS. These simulations used key observation points as representative viewing locations and portrayed the anticipated visual change resulting from the wood to steel replacement. The FEIR/FEIS states "Replacement of existing distribution circuits would produce weak visual contrast in the landscape as the form, line, and color of replacement poles would appear visually similar to existing wood poles. Views in areas where relocation and undergrounding would occur would benefit the view sheds by removing existing structures and placing them underground" (FEIR/FEIS, pg. G-6). "While SDG&E's proposed project would contribute to cumulative impacts to scenic vistas (Impact VIS-1), scenic byways (Sunrise Scenic Byway; Impact VIS-2), existing visual character and quality (Impact VIS-3) and Scenic integrity

objectives (Forest Service), the incremental change proposed by the project would reflect that of the existing poles and therefore would not result in a cumulatively considerable impact to the existing visual character and quality of the site and surroundings" (FEIR/FEIS, pg. F-12).

Fire Ignition Risks

The FEIR/FEIS (pp. D.8-6 to D.8-8) contains a discussion of fire caused by powerlines. Section D.8.3.3 (pp. D.8-37 to D.8-47) addresses the direct and indirect effects of construction, operation and maintenance, and existence of facilities on the fire risk, including mitigations to reduce the risk. The FEIR/FEIS concluded that, "the presence of the proposed power line replacement projects along with other SDG&E electric facilities proposed to be covered under the MSUP would not increase the probability of igniting a wildfire or exceed the CEQA significance threshold" (FEIR/FEIS, pg. D.8-46). And that "[p]roject design would include fire hardening techniques, including replacing wood poles with steel poles designed to withstand extreme wind loading, increasing conductor spacing to maximize line clearances, and installing longer polymer insulators (FEIR/FEIS, pg. D.8-46). As discussed in Section D.8.3.3 (Impacts FF-1 through FF-4), design components of SDG&E's proposed project would reduce the long-term fire risk from the power line system" (FEIR/FEIS, pg. F-28). See response to objection point #11 for further discussion of fire risk.

I find that the environmental effects on growth inducement, health, fire ignition risks and visual resources were adequately addressed in the FEIR/FEIS and DROD and that the analysis and decision were consistent with the requirements of NEPA.

Objection Point 14

"D79, the powerline located dead center in crosshairs of the windiest spot in southern California, is not converted to an underground configuration…Using safety and scientific data as a first priority, rebuilding an above ground powerline rated at a max wind speed of 85 mph in the exact spot which boasts documented wind gusts at 101mph is unacceptable. The D79 area extreme wind event/Santa Anna fire risk and the fire threat to San Diego as a whole needs to be addressed and corrected in the final draft of the Record of Decision... Furthermore, as discussed in the document, all powerline reconstruction below 35,000volts (FSM chapter 2720) are to be rebuilt in an underground configuration. D79 is only 12,000volts and can easily be reconstructed under and along Boulder Creek Road" (Weflen, pg. 1).

Response

The Region 5 supplement to the FSM requires power lines of 35kV or less to be undergrounded when new installations take place or when existing lines are significantly upgraded, except where aerial lines will be less impactful. "Place all new powerline installations underground…require undergrounding of existing aerial powerline installations, especially when the holder proposes those lines for upgrading, replacement, or reconstruction, except where the environmental analysis clearly indicates that aerial construction provides better protection for National Forest resource and environmental values" (R5 Supplement to FSM 2726.31).

The alternatives presented in this analysis captured the limitations of each segment that could potentially be buried (FEIR/FEIS, pp. B-23 to B-35). Alternative C.5.7 included burying all overhead lines, some of which would be buried in existing road beds (FEIR/FEIS, pg. C-13). This alternative was eliminated from detailed study due to the presence of steep slopes and

rugged terrain in the project area and associated construction challenges, combined with the greater temporary and permanent ground disturbance that would be caused by trenching (FEIR/FEIS, pp. C-13 to 14). For a detailed response to concerns regarding the environmental impacts and disturbance to sensitive resources of underground lines, please reference my response to objection point 12.

Specific to the section of line questioned in this objection point, topographic limitations including slopes of greater than 12% and insufficient turning radiuses at certain points in the road bed (FEIR/FEIS, pp. C-13 to 14, Section C.5.7) prevent the effective installation of buried lines at these locations. Boulder Creek Road has 12 turning points with insufficient radius and 25 locations that exceed a 12% slope. This segment also crosses 10 hydrologic features where open trenching would not be feasible and boring would be required (FEIS/FEIR, pp. B-27 to 28).

The objection also raises concerns about the safety of above-ground poles in this section of line. Wood poles are variable in the material strength properties and are intended to handle winds up to 56 mph (FEIR/FEIS, pg. D.7-4). The proposed steel poles are generally designed to withstand extreme wind-loading compared to wood poles. SDG&E will be required to design the proposed new steel poles and associated facilities in accordance with the safety requirements of the CPUC's General Order 95 (GO 95). GO 95 governs the design, construction, operations, and maintenance of overhead electrical lines and identifies material's strength requirements (Rule 48) and maximum working load conditions (Rule 43). Operation of the proposed power line replacement and associated hardware would not pose a significant safety hazard due to structural failure caused by high winds or lightning (FEIR/FEIS, pg. D. 8-45).

I find that the analysis is consistent with the R5 Supplement to FSM 2726.31 and appropriately considers the benefits of undergrounding options as well as the impacts on a range of resource and environmental values. These analyses provide succinct and sufficient explanations of why these alternatives are not feasible and should be eliminated from detailed study.

Objection Point 15

"..we object that more if not all of this power line project remaining go underground. We request specifically that the USFS reconsiders placing underground, the mitigation section six miles west of Boulevard, a section from mile 7.5 through 8.9 on Boulder Creek Road, and the section along highway 76, especially the forest boundary near Lake Henshaw to the La Jolla Indian Reservation. These areas are exceptional in scenic value. The Boulder Creek Road section is currently not compliant with the recommended wilderness guidelines as well as the guidelines to underground all lines under 35kV. The Boulevard section is a classic San Diego section for driving along a scenic highway and the ongoing issues for energy projects and transmission lines, with regard to health, fire safety, and the environment, as well as the added awkward scope to this project, can be lessons in favor of the public confidence by placing these underground" (Sierra Club San Diego, pp. 1-2; Buxton, pp. 8-11).

"The following direction is provided in Chapter 2720 for power lines up to and including 35 kV and power lines over 35 kV:
Power Lines Up To and Including 35 kV. Place all new power line installations underground, except where the environmental analysis indicates that aerial construction provides better

protection for National Forest resource and environmental values. The authorizing officer shall require undergrounding of existing aerial power line installations, especially when the holder proposes those lines for upgrading, replacement, or reconstruction, except where the environmental analysis clearly indicates that aerial construction provides better protection for National Forest resource and environmental values."

Given this statement and specifically "The authorizing officer shall require undergrounding of existing aerial power line installations, **especially when the holder proposes those lines for upgrading, replacement, or reconstruction**…"

"The holder ***IS*** proposing to completely replace the infrastructure, the wood to steel poles, and the switching up from ½ inch to a full inch conductor of the remaining 12Kv line under the TL626 line from the Descanso substation to its terminus just north of the McCoy and Green Ranch near mile post 14.5 on Boulder Creek Road. While putting the 12kV line under the TL626 underground from the Weflen Ranch to the McCoy ranch across Boulder Creek Canyon may exceed the rugged standard for undergrounding, the rest of this route from Descanso to the cattle guard by the Sill Hill Wind station at mile 8.9 on Boulder Creek Road is not especially out of this scope, particularly if routed under Boulder Creek Road. I object to anything less given that it is clearly a policy that even the UFSF [sic] has chosen to illuminate in this record of decision as one they must follow."

"Additionally there are other issues of this 12kV line violating policy. The section from mile 6 to the McCoy Ranch violates the FLMA standards for scenic integrity in that it violates the management objective that requires wilderness to be managed to very high scenic integrity which would include this line sitting inches from its boundary, a definite imposition to the scenic integrity there, including the Sill Hill Wilderness Unit the full width of Boulder Creek Gorge, as well as from mile 6 to 9 of the Sill Hill Unit, Eagle Peak Wilderness Unit, and the No Name Wilderness Unit. This is most pronounced in the section from mile 7 to 8.9 where both Sill Hill and No Name are only bisected by Boulder Creek road and run the length of both sides of this road there. This segment should be the highest priority for adhering to this requirement and sits in the highest recorded wind speeds in the county" (Buxton, pp. 4-8).

Response

The Region 5 supplement to the FSM requires power lines of 35kV or less to be undergrounded when new installations take place or when existing lines are significantly upgraded, unless aerial lines are less impactful. The FSM specifically states "Place all new powerline installations underground…require undergrounding of existing aerial powerline installations, especially when the holder proposes those lines for upgrading, replacement, or reconstruction, except where the environmental analysis clearly indicates that aerial construction provides better protection for National Forest resource and environmental values" (R5 Supplement to FSM 2726.31)

This objection refers to sections of two transmission lines: TL 626 and TL 682. The specific power lines questioned in this objection point were determined through environmental analysis to generate less resource damage with continued aerial construction (DROD, pp. 7-21 to 7-22) in particular in consideration of cultural resources. For TL 626, "The cumulative effects associated with relocating TL626 as proposed under Options 1 through 5 (including undergrounding and alternative routes) would be greater than those described for SDG&E's proposed project as these

alternatives would create a greater disturbance area and therefore greater potential to impact cultural resources than reconstruction of TL626 in place as proposed" (DROD, pp. 7-21 to 7-22). Construction requirements and impacts for undergrounding TL 626 along Boulder Creek Road are included in the FEIR/FEIS (pp. B27 to B31) and they include substantial ground disturbance including 90,000 cubic yards of excavation for Option 3a (full length of Boulder Creek Road) and 48,286 cubic yards for Option 3b (partial length of Boulder Creek Road) (FEIR/FEIS pp. B27 to B31). The effects of converting TL 626 to 12kV aerial lines are discussed in detail in the analysis. The replacement of existing 69kV lines and poles with shorter 12kV lines and poles will result in the lines being less visually prominent along those segments. As a result, the impacts would not be adverse under NEPA (FEIR/FEIS, pp. D.2 129-130).

An undergrounding option was not studied in detail in the alternatives as is explained in the response to Objection #12. For a more specific discussion of the effects of burying TL 682, see the detailed response to Objection Point 17.

Wood poles are variable in the material strength properties and are intended to handle winds up to 56 mph (FEIR/FEIS, pg. D.7-4). Proposed steel poles are generally designed to withstand extreme wind-loading compared to wood poles. The SDG&E will be required to design the proposed new steel poles and associated facilities in accordance with the safety requirements of the CPUC's General Order 95 (GO 95). The GO 95 governs the design, construction, operations, and maintenance of overhead electrical lines and identifies material's strength requirements (Rule 48) and maximum working load conditions (Rule 43). Operation of the proposed power line replacement and associated hardware would not pose a significant safety hazard due to structural failure caused by high winds or lightning (FEIR/FEIS, pg. D. 8-45).

I find that the decision to limit the undergrounding of power lines to reduce impacts to cultural resources, and natural resources to be consistent with agency policy as defined in the R5 Supplement to FSM 2726.3. I find that appropriate safety precautions have been built into the design and implementation of these projects and their components. Lastly, the decision documents adequate analysis of the impacts to scenic integrity objectives.

Objection Point 16

"The expansion of the line there via a fivefold increase in amperage and wattage, underscores the intention of a fivefold increase in power since the only delta in doing so is the larger conductor, - why else would the conductor need to be updated if it was to serve as a mitigation redundancy line. Consequently, this alternative has impacts to consider on the residences there from health, fire, and environmental issues" (Buxton, pp. 8-11).

Response

The CEQ regulations (40 CFR 1500-1508) require impacts to the environment be disclosed and compared under NEPA. "Effects may also include those resulting from actions which may have both beneficial and detrimental effects, even if on balance the agency believes that the effect will be beneficial" (40 CFR 1508).

The purpose of SDG&E's proposed project is to reduce fire risk and improve the reliability of power delivery to surrounding communities in and around the CNF (FEIS/FEIR, pp. A-8 to A-

10). The FEIR/FEIS explains that "[t]he proposed project would replace existing conductors on five 69 kV lines, which were originally installed decades ago with the smallest SDG&E standard conductors currently used for new and reconstructed facilities of the 69 kV system. These new conductors are stronger, more resistant to heat, and heavier than existing conductors are. This allows the new conductors to fulfill the primary purpose of the power line replacement projects to increase fire safety and service reliability and provide additional fire hardening, as discussed in Section D.8, Fire and Fuels Management, of this EIR/EIS" (FEIR/FEIS, p. G-3). The FEIR/FEIS states "Project design would include fire hardening techniques, including replacing wood poles with steel poles designed to withstand extreme wind loading, increasing conductor spacing to maximize line clearances, and installing longer polymer insulators. As discussed in Section D.8.3.3 (Impacts FF-1 through FF-4), design components of SDG&E's proposed project would reduce the long-term fire risk from the power line system" (FEIR/FEIS, pg. F-28).

The FEIR/FEIS explains the effects of the project on fire risk and improved reliability as follows:

> The larger, stronger conductors will be significantly more resistant to potential damage from extreme wind conditions, lightning strikes, and tree-line contact in comparison with the existing conductors. The proposed conductors will also reduce the potential for line breakages or other failures that could result during hazardous weather conditions.
>
> Under SDG&E's proposed project, the new pole heights are also generally increased which will allow for increased conductor spacing and appropriate ground clearances. The increased height and spacing provides for greater distances between conductors and reduces risk of conductor to conductor contact, as well as risk of contact with vegetation or human activity on the ground (SDG&E 2013)
> (FEIR/FEIS, p. D.8-46).

Section D.15 of the FEIR/FEIS (pp. D.15-1 to D.15-10) includes a thorough discussion of electromagnetic fields and their effects related to health and safety. See response to objection point # 13 above for further discussion of health effects.

The DROD states: "Based on the comparison of alternatives in the FEIR/FEIS Section E, I have concluded that removing 18 miles of transmission line from service, and replacing it by fire hardening an existing six-mile transmission line has less overall impact on the environment, and that the impacts associated with fire hardening TL6931 can be effectively mitigated" (DROD, pg. 8). See discussion of relative environmental impacts in response to objection point 12.
I find that the effects on the residences near TL6931 from health, fire, and other environmental impacts were addressed in the FEIR/FEIS and DROD and that the analysis and decision are consistent with 40 CFR 1508.

Objection Point 17

"We request that the Regional Forester take a new look undergrounding this line [TL682] by Palomar Mountain. This Mountain is exceptional value and character and one of the most well-

known land marks in San Diego, known worldwide" (Sierra Club San Diego, pg.2; Buxton, pp. 11-13).

"However SDG&E, due to the fivefold increase in wattage of this line suggested increasing the right of by 100 feet. The expansion of the above ground right-of-way and transmission line infrastructure, in light of the scenic highway and wild and scenic river recommendation as well as the designation of a migratory bird flyway and an existing golden eagle nest within a 1000 feet of the line, makes this option most unfortunate idea" (Buxton, pp. 11-13).

Response

The Region 5 supplement to the FSM requires power lines of 35kv or less to be undergrounded when new installations take place or when existing lines are significantly upgraded, unless aerial lines are less impactful. The FSM specifically states "Place all new powerline installations underground…require undergrounding of existing aerial powerline installations, especially when the holder proposes those lines for upgrading, replacement, or reconstruction, except where the environmental analysis clearly indicates that aerial construction provides better protection for National Forest resource and environmental values" (R5 Supplement to FSM 2726.31).

Alternative C.5.8 would underground approximately 45 miles of existing 69 kV and 12 kV electric lines located along existing roadways instead of the wood-to-steel pole replacement. Although this alternative meets screening criteria for project objectives and purpose and need, portions of this alternative may not meet feasibility criteria due to roadway encroachment issues (i.e., California Department of Transportation (CalTrans) and others), as well as other engineering issues associated with service to individual customers (FEIR/FEIS, pp. C-14 to 15). In addition, undergrounding 45 miles of electric lines within existing roadways as proposed under alternative C.5.8 would result in an increase in short-term construction-related impacts caused by open trenching and laydown areas. These impacts are broader in scope and intensity than the proposed wood-to-steel pole replacement and did not meet environmental screening criteria. Neither alternative C.5.7 nor C.5.8 meet environmental or feasibility screening criteria and were not carried forward for further consideration in the EIR/EIS. See response to objection point 12 above for discussion on environmental impacts of undergrounding.

The California Scenic Highway Program preserves and protects the aesthetic value of lands adjacent to California highways. Highways are either eligible or designated and receive designation after local jurisdiction adopts a scenic corridor protection program and applies to Caltrans for scenic highway approval. Within the project area, I-8, SR-79, SR-78, and SR-76 are "eligible" state scenic highways (FEIR/FEIS, pg. D. 2-64). The TL682 is visible from SR-76 and SR-79, local roads, rural residences, and recreation areas. The viewshed comprises a mix of natural and agricultural landscape and includes lemon and avocado trees, grasses, shrubs, landscape trees, chaparral, scrub, and oak tree clusters.

The road to Palomar Mountain has a moderate viewer exposure, low to moderate sensitivity, and is rated low for visual quality and concern. The composition of the landscape west of Palomar Mountain Road is marked by existing development with multiple wood poles and lines associated with TL682. Local communication infrastructure contributes to the existing landscape setting. The replacement of existing vertical elements with elements of similar form,

line, and color is not an adverse visual change. The number of viewers on the road is assessed as low to moderate and view duration would be extended as the power line generally follows the alignment of the roadway (FEIR/FEIS, pp. D. 2-13 to 14).

Replacement poles would be installed at the same or nearly the same locations as existing poles, although new poles would be taller and wider than existing and would be composed of weathered steel as opposed to wood. Replacement poles would not substantially affect available views from eligible state scenic highways or County scenic routes. Keeping the same general locations for new poles would minimize the potential for removing scenic resources such as trees and rocks or outcroppings to accommodate new poles and associated work areas (FEIR/FEIS, pg. D. 2-75).

In order to avoid and minimize impacts to sensitive and native avian species, SDG&E will implement all relevant Operational Protocols designed to avoid and minimize impacts to all sensitive resources. These protocols include conducting preconstruction surveys and handling of wildlife only by a qualified biologist and having a biological monitor on site. Implementation of SDG&E's Operational Protocols and SDG&E's Subregional NCCP guidelines would ensure potential impacts to special-status avian species remain less than significant (FEIR/FEIS, pg. D. 4-160). To protect birds, an Avian Protection Plan and Nesting Bird Management Plan will be developed in coordination with the Wildlife Agencies that includes protective measures based on site specific conditions. These plans will be implemented by SDG&E with oversight by the CPUC and the FS, including open communication between wildlife agencies. If construction is taking place between February and September SDG&E shall provide a monthly summary of nesting bird monitoring activities and at the completion of each nesting season shall provide an evaluation of the data collected to date as specified in the Nesting Bird Management Plan (FEIR/FEIS, pg. D. 4-166).

The San Luis Rey River is an eligible wild and scenic river and is spanned by TL682. According to the LRMP (FEIR/FEIS, pp. D.10-30 to 31) all existing facilities, management actions, and approved uses are allowed in eligible river corridors until a decision is made on inclusion into the National Wild and Scenic River System (provided that uses do not interfere with the protection and enhancement of the river's "remarkable" values) but proposed uses and new facilities are not allowed if they could potentially affect wild and scenic eligibility (Forest Service 2005a) (FEIR/FEIS, pg. D. 10-31).

I find that the analysis is consistent with the requirements of NEPA and the R5 Supplement to FSM 2726.31 and appropriately considers the benefits of undergrounding options as well as the impacts on a range of resource and environmental values. This analysis provides succinct and sufficient explanations of why these alternatives are not feasible and should be eliminated from detailed study.

Objection Point 18

"We would ask that the USFS implement a plan immediately to disallow any further arbitrary bull dozing in the interim maintenance of these lines and require the permittee to contact the USFS before any activities on recommended wilderness areas" (Sierra Club San Diego, pg. 2; Buxton, pg. 13).

Response

The existing permits have requirements for operation and maintenance of SDG&E electrical facilities, including routine and periodic equipment testing, pole brushing, herbicide application, and other related ongoing maintenance tasks (FEIR/FEIS pg. ES-17).

The proposed MSUP/PTC Power Line Replacement Projects Operations and Maintenance (O&M) requirements are specifically detailed in Section B.6, Operations and Maintenance, of the FEIR/FEIS. These O&M activities are included and have been analyzed in the FEIR/FEIR for their impact on the affected environment. To ensure continued safe and reliable electric service of the existing facilities and the safety of the general public and personnel engaged in O&M activities, SDG&E would conduct standard O&M activities and procedures for their facilities within the CNF project study area. Table B-11, Typical Maintenance Activities, lists and describes the types of maintenance activities that would occur, lists the equipment that would be used for these activities, and provides the estimated frequency. The activities range from routine preventive maintenance to emergency repairs and replacements required to maintain service continuity and reliability (FEIR/FEIS, pp. B-59 and 60; Table B-11; pp.B-60, 61).

The FEIS/FEIR, Section B.5.2, Construction Activities and Methods, specifically discusses the types of heavy equipment and the construction activities for which they will be used. Bulldozers are specifically mentioned for use during the construction phase only, in order to improve access roads to power and distribution lines, as outlined in Table B-10 (FEIR/FEIS, pp. B-53, B-56).

During O&M, standard repair methods would include grading previously built (e.g., road reestablishment) and existing access roads and spot-repair of erosion sites where access roads may be subject to scouring. The ROW repairs would be performed as necessary (such as following seasonal rains) and may require the use of a four-wheel-drive pickup truck, a motor grader, a backhoe, and/or a skid steer loader. The skid steer loader has steel tracks while the remaining equipment has rubber tires (FEIR/FEIS, pg. B-61). Bulldozers are not listed as a piece of heavy equipment typically used for O&M activities.

The Federal Preferred Alternative avoids conflicts with designated Wilderness by relocating C157 into the corridor between the Pine Creek and Hauser Wilderness and avoids an area of Recommended Wilderness in Cedar Creek by removing TL626 from service (DROD, pg.7; FEIR/FEIS, pp. E-105,106; Figure E-1, pg. E-109).

I find that the FEIR/FEIS discloses the impacts to land use, describes how the environmental impacts were evaluated, and describes all aspects of project construction and Operations and Maintenance activities that were used to evaluate the project impacts.

Objection Point 19

"We request that the CPUC remove references to the MOU from this final record as that process was coordinated with the USFS under deceptive information that was then carried into the design of this project. The MOU is a nonstandard device in this project and under the circumstances it serves no purpose" (Sierra Club San Diego, pg. 2; Buxton, pp. 13-17).

Response
Memorandums of Understanding are standard agreements for Forest operations and management. The MOU is a tool for the purpose of conducting NEPA in a cooperative way. MOUs are not decision documents concerning land management actions and as such they are not subject to NEPA. The MSUP ROD and EIS/EIR are NEPA decision documents subject to public review and comment.

The Memorandum of Understanding (MOU) in question between the CPUC and the CNF was initiated to facilitate joint management of the SDG&E MSUP process (CPUC USFS MOU, January 2012). Forest MOUs are created under long-standing statutory authority including the 1) Economy Act of June 30, 1932 (31 U.S.C. 1535, Pub.L. 97-258 and 98-216); 2) Section 330, Department of the Interior and Related Agencies Appropriations Act of 2001; 3) Pub. L. No. 106-291, 114 Stat. 922, 996, 43 U.S.C. § 1701 note, as amended by Section 428 of the Department of the Interior, Environment, and Related Agencies Appropriations Act of 2006; 4) Pub. L. No. 109-54, 119 Stat. 499, 555; Section 418, Div. E, of the Omnibus appropriations Act of 2009; and 5) Pub. L. No. 111-8, 123 Stat. 524, 747; and Section 422, Div. E, of the Consolidated Appropriations Act of 2012, Pub. L. No. 112-74, 125 Stat. 1045. Consequently, the MOU in question is authorized under statute, is non-decisional, and is not subject to NEPA assessment and procedures.

I find that the MOU in question is not a decision document and as such it is not subject to NEPA and appropriately belongs in the project record.

Objection Point 20
"We request that the added option described in the plastic bounded addendum showing a route from Santa Ysabel to the Boulder Creek Substation be removed from the record of this project. This option is illegal in that it represents an entirely new line with an invalid name and was not provided under any aspect of a CEQA/NEPA Process. It differs from the US Forest Record of decision and could only pertain to an entirely new project" (Sierra Club San Diego, pg. 2; Buxton, pp. 17-18).

Response
The document referenced in this objection point is the Executive Summary included in the FEIR/FEIS (pp. ES-1 to ES-19). The map referenced in the objection point (FEIR/FEIS, Figure 3, pg. ES-39) displays the Federal Preferred Alternative, which includes TL626 option 5 as described in the FEIR/FEIS (pg. 105).

Section C.4 of the Draft EIR/EIS (DEIR/DEIS) discuss Additional Alternatives Evaluated (pp. C5 to C-8). The DEIR/DEIS describes options considered to remove TL 626 from service, including the option to convert the northern section of TL626 to 12kV (DEIR/DEIS, pp. C7 to C-8). Figures B2a; B-4; B-4a, B-4b and B-4c (DEIR/DEIS, pp. B-79 to B-85), display the options analyzed for TL626 including the route from Santa Ysabel to Boulder Creek Substation. These options were described in the DEIR/DEIS (pp. B-24 to B-32; C-7). The DEIR/DEIS comparison of alternatives (DEIR/DEIS, pp. E-2 to E-3) describes the five options considered for TL626.

The DEIR/DEIS (pg. E-94) states that, "[t]he federal preferred alternative is a composite of three alternatives. The federal proposed action is the basis of the preferred alternative; however the TL626 relocation option has been replaced by the TL626 removal from service Option 1 (the upgrade to TL6931), combined with the off-grid solution for the Boulder Creek substation." It does not include the option to convert this section in question; however, the DEIR/DEIS states that, "There is no requirement for the federal agencies to select the preferred alternative in the Record of Decision, and the identification of the federal preferred alternative may change between a draft EIS and final EIS" (DEIR/DEIS, pg. E-94).

The FEIR/FEIS modifies the description of the Federal Preferred Alternative to include the following contingency: "If the off-grid solution is not feasible, the 6.5-mile section of TL626 between the Santa Ysabel and Boulder Creek Substations will be converted from 69 kV to 12 kV using the TL626 Option 5 re-route around the Inaja Memorial" (FEIR/FEIS, pg. E-105), which was described in section C.4.1 of the DEIR/DEIS (pg. C-7).

The DROD (pg. 22) displays actions approved by the FS under this decision. The footnote on page 2 or the DROD notes that, "… C79 has several existing segments on the Cleveland National Forest. My decision authorizes the segment of C79 that is currently co-located with TL626 as part of the conversion of TL626 to a 12 kV only power line. As discussed later in the decision, the segment of C79 that serves Cuyamaca Peak is not authorized by this decision." The maps included in the DROD (pp. 21-23) constitute the official agency decision. It goes on to clarify that, "the permits for the improvements that are not included in the new MSUP will terminate according to their terms and conditions" (DROD, pg. 5). Part of the Federally Preferred Alternative that would not be authorized in the new MSUP include, "TL626 and associated roads that will be replaced by a fire hardened TL6931 or converted to 12 kV as part of C79 (Permit DRD 4186-06). The section of TL 626 that serves the Boulder Creek Substation will be replaced by the off-grid solution proposed by SDG&E" (DROD, pp. 5).

The FEIR/FEIS describes the "off-grid" option of this alternative as follows: "The off-grid solution would require the existing customer near Boulder Creek Substation to agree to placing an off-grid solution on their property. If agreed to by the existing customer, the off-grid solution for on-site use is not subject to CPUC or FS approval and is allowed by the County of San Diego upon approval of a building permit. A building permit from the County of San Diego is a ministerial action" (FEIR/FEIS, pp. C-7). It goes on to state that "[t]he off-grid solution has not been carried forward for full analysis in the EIR/EIS as a separate and stand-alone option to meet the energy demands of the customer near the Boulder Creek Substation as approval by the County of a building permit is a ministerial action and not subject to CEQA or NEPA" (FEIR/FEIS, pg. C-8).

I find that the conversion of TL626 from 69 kV to 12 kV between the Boulder Creek and San Ysabel substations was identified, described and analyzed under alternatives considered during the NEPA process. This is consistent with NEPA and applicable CEQ and FS regulation and should not be considered a new project.

Instruction: Clarify in the Final ROD:

a. Why changes to the Preferred Federal Alternative were incorporated into the FEIR/FEIS.

b. That the selected alternative differs from the Federal Preferred Alternative as described in the ROD language and map. To clarify, this decision only selects the off-grid solution and not the back-up option to convert the northern end of TL 626 to 12 kV should the off-grid solution not be implemented.

Objection Point 21

"This project master permit began as a 25 or 30 year permit. It has turned into a 50 year permit along the way. We began this process as a 30 year endeavor and I object that the timing has been nearly doubled. As you can see even after the permit expires it can be a decade before a new one is implemented. Technology is explosive and I object to being tied to above ground 'today-technology' for another 50 years. This architecture if nothing else, most especially in light of creating integrated climate stabilization planning, should be reviewed in 25 years. Climate stabilization cannot wait 25 extra years on old technologies. Please reduce the term of this permit back to where it began, no more than 30 years with review required no later than 25 years" (Buxton, pg. 17).

Response:

Forest Service Handbook (FSH) 2709.11 – Special Uses Handbook, Chapter 10 – Application and Authorization Processing defines recommended or required maximum terms for special uses on Forest lands in 19 – Exhibit 02. All powerlines are recommended for a 50 year permit timeframe; however, the Handbook also states that the FS must "Provide for revision of terms & conditions at specified intervals to reflect changing times and conditions." Forest Service Handbook 2709.11, Chapter 50 – E Clauses: Tenure, Termination, Revocation, and Limit of Use includes a supplemental clause to be included in all special use authorizations exceeding 30 years, which specifies the years that the permit will be subject to revision.

I find that the 50-year term for the MSUP as described in the ROD is consistent with FS policy and direction as per FSH 2709.11.

Instruction: The Responsible Official should specify in the MSUP the intervals/years this permit will be subject to revision as per 2709.11 Chapter 50, E8.

Instructions to the Responsible Official

1. Point 1. The Responsible Official should clarify that state CWA certification is not necessary prior to permit issuance authorizing activities where a 401 certification is not required, but is necessary prior to permitting new activities which require a 401 certification.
2. Point 2. The Responsible Official should clarify SDG&E's responsibility in Mitigation Measure PSU-1 to reflect SDG&E's jurisdictional concerns (if the FS requires AT&T to co-locate with SDG&E, then SDG&E needs to work with AT&T.)
3. Point 3. The Final ROD should more clearly define the gate protocol requirements that will apply during construction, operation and maintenance to SDG&E for the life of the MSUP, and should specify which roads are subject to those requirements. Specific consequences of SDG&E not following these protocols should be addressed via clause

IV.F of the special use permit; therefore, I instruct the Responsible Official to remove them from Mitigation measure REC-2.

4. Point 20. Clarify in the Final ROD:
    a. Why changes to the Preferred Federal Alternative were incorporated into the FEIR/EIS.
    b. That the selected alternative differs from the Federal Preferred Alternative as described in the ROD language and map. To clarify, this decision only selects the off-grid solution and not the back-up option to convert the northern end of TL 626 to 12 kV should the off-grid solution not be implemented.
5. Point 21. The Responsible Official should specify in the MSUP the intervals/years this permit will be subject to revision as per 2709.11 Chapter 50, E8.

Conclusion

The Forest Supervisor's rationale for this project is clear and the reasons for the project are logical and responsive to direction contained in the CNF LRMP. As described above, I made a reasonable and appropriate effort to resolve the concerns that were brought forward while maintaining a balanced approach to managing the lands and meeting the purpose of the project.

By copy of this letter, I am instructing Forest Supervisor, Will Metz, to proceed with issuance of a Record of Decision for this project once the instructions identified above have been completed. There will be no further review of this response by any other FS or U.S. Department of Agriculture official as per 36 CFR 218.11(b)(2).

Sincerely,

/s/ Jennifer Eberlien

JENNIFER EBERLIEN
Deputy Regional Forester

Enclosure

cc: Will Metz, Cleveland Forest Supervisor
Jeff Heys
Robert Hawkins